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28 *Wireless LLC*

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3

4 JONATHAN C. KALTWASSER, on
5 behalf of himself and all others similarly
6 situated,

7 Plaintiffs,

8 v.

9 AT&T MOBILITY LLC f/k/a CINGULAR
10 WIRELESS LLC,

11 Defendant.

CASE NO. 5:07-cv-00411-JF

**THIRD STIPULATION FOR ORDER
CHANGING TIME PURSUANT TO
NORTHERN DISTRICT LOCAL RULE 6-2**

12 **STIPULATION**

13 **WHEREAS**, Plaintiff Jonathan C. Kaltwasser ("Plaintiff") filed the above-entitled action
14 in the United States District Court for the Northern District of California on January 22, 2007 and
15 served Defendant on January 29, 2007;

16 **WHEREAS**, under applicable rules, prior Court order, and pursuant to the parties'
17 previous stipulations, the Defendant must answer, move against, or otherwise respond to the
18 Complaint no later than August 13, 2007;

19 **WHEREAS**, the parties continue to desire to determine if they can reach a mutually
20 acceptable resolution through the exchange of information and negotiation.

21 **WHEREAS**, in seeking to reach a mutually acceptable resolution through the exchange of
22 information and negotiation, Defendant has disclosed and produced to Plaintiff more than
23 100,000 pages of information in response to Plaintiff's requests.

24 **WHEREAS**, in seeking to reach a mutually acceptable resolution through the exchange of
25 information and negotiation, Plaintiff has sought to review and analyze the more than 100,000
26 pages of information produced by Defendant in order to continue discussions toward a resolution
27 of this action with Defendant.
28

1 **WHEREAS**, in seeking to reach a mutually acceptable resolution through the exchange of
2 information and negotiation, Plaintiff and Defendant require additional time to correspond and
3 meet to determine if they can reach a mutually acceptable resolution.

4 **WHEREAS**, Defendant would like to preserve its ability to move to compel arbitration in
5 the case with the understanding that Plaintiff will likewise preserve his right to oppose any such
6 motion.

7 **WHEREAS**, under Northern District Local Rule 6-2, parties may file a stipulation
8 requesting an order changing time that would affect the date of an event or deadline already fixed
9 by Court order.

10 **WHEREAS**, the present deadlines set forth in this case pursuant to the June 5, 2007
11 "Second Order Changing Time Pursuant to Northern District Local Rule 6-2" are August 20,
12 2007 (ADR and meet and confer); September 3, 2007 (26(f) report, Case Management Statement
13 and Initial Disclosures); and September 21, 2007 (Initial Case Management Conference).

14 **WHEREAS**, the parties would like to stipulate to allow Defendant until October 1, 2007
15 to answer, move against, or otherwise respond to the Complaint (which includes moving to
16 compel arbitration).

17 **WHEREAS**, the parties would like an order extending the deadlines for their ADR
18 submission, 26(f) Report-Case Management Statement-Initial Disclosures, and Initial Case
19 Management Conference for two months. The new deadlines would be: ADR papers and meet
20 and confer by October 22, 2007; 26(f) report-Case Management Statement-Initial Disclosures by
21 November 5, 2007, and the Initial Case Management Conference to be scheduled in November
22 2007.

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THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED THAT

Defendant shall have until October 1, 2007 to answer, move against, or otherwise respond to the Complaint (which includes moving to compel arbitration). In addition, the following new deadlines would be put in place: ADR papers and meet and confer by October 22, 2007; 26(f) report-Case Management Statement-Initial Disclosures by November 5, 2007, and the Initial Case Management Conference to be scheduled in November 2007.

s/ Joseph N. Kravec (w/ express permission)

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14 *Wireless LLC*
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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 JONATHAN C. KALTWASSER, on
15 behalf of himself and all others similarly
situated,

16 Plaintiffs,

17 v.

18 AT&T MOBILITY LLC f/k/a CINGULAR
19 WIRELESS LLC,

Defendant.

CASE NO. 5:07-cv-00411-JF

**[PROPOSED] THIRD ORDER CHANGING
TIME PURSUANT TO NORTHERN
DISTRICT LOCAL RULE 6-2**

20
21 For good cause shown and to encourage resolution and exchange of information between
22 the parties, Defendant shall have until October 1, 2007 to answer, move against, or otherwise
23 respond to the complaint (which includes moving to compel arbitration).

24 In addition, the following new deadlines are established:

- 25 1) ADR papers and meet and confer by October 22, 2007;
26 2) 26(f) report-Case Management Statement-Initial Disclosures by November 5,
27 2007; and
28


Honorable Jeremy Fogel
United States District Court

Honorable Jeremy Fogel
United States District Court
Northern District of California

PROOF OF SERVICE

I am a citizen of the United States and employed in the County of San Francisco, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 101 California Street, 41st Floor, San Francisco, California 94111.

On **July 18, 2007**, I electronically filed the:

***Third Stipulation for Order Changing Time Pursuant to
Northern District Local Rule 6-2; [Proposed] Order***

with the Clerk of the United States District Court - Northern District of California, via the Court's electronic court filing system (ECF). The Court will generate email notification to all attorneys of record participating in this case via ECF. Participating attorneys are:

David L. Balser, Esq., McKenna Long & Aldridge LLP
Nathan L. Garroway, Esq., McKenna Long & Aldridge LLP
Felicia Y. Feng, Esq., McKenna Long & Aldridge LLP
Ira Spiro, Esq., Spiro Moss Barness & Barge, LLP
Michael David Braun, Esq., Braun Law Group PC
Joseph Kravec, Esq., Specter Specter Evans & Manogue PC

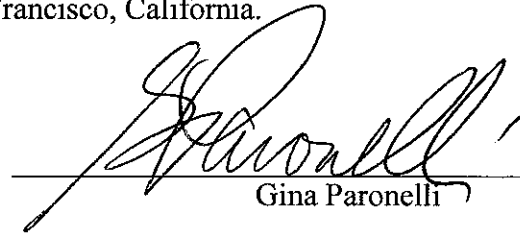
For those served by U.S. Mail, I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On this date I placed with this firm at the above address for deposit with the United States Postal Service, a true and correct copy of the documents stated above, in sealed envelopes, postage fully paid, addressed as follows:

Janet Lindner Spielberg, Esq.
Law Office of Janet Lindner Spielberg
12400 Wilshire Boulevard, Suite 400
Los Angeles, CA 90025

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

1 I declare under penalty of perjury under the laws of the State of California that the above
2 is true and correct.

3 Executed on **July 18, 2007**, at San Francisco, California.

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5
6 
Gina Paronelli